

1  
2  
3  
4  
5  
6  
7  
8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE  
WESTERN DISTRICT OF WASHINGTON

11 RAYMOND THORNTON,

Civil No. 3:09-CV-5218-FDB

12 Plaintiff,

13 v.

ORDER FOR REMAND

14 MICHAEL J. ASTRUE,  
15 Commissioner of Social Security,

16 Defendant.

17 Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned  
18 case be reversed and remanded for further administrative proceedings, including, but not limited  
19 to, the following actions: the administrative law judge (ALJ) will consider the opinions of  
20 Dr. Kooiker (Tr. 287-290) and Mr. Jackson and Dr. Krieg (Tr. 191-194) and the lay witness  
21 statements from Dawn (Tr. 59), Jacquelyne Thornton (Tr. 60-63), Ivy Schwan (Tr. 64), Sylvia  
22 Thornton Bonchiff (Tr. 65-67), Chuck Wagner (Tr. 119-120), Cal White (Tr. 140), and Tevya  
23 Friedman (Tr. 141-143) when further evaluating whether Plaintiff had a medically determinable  
impairment prior to his date last insured (DLI) and whether Plaintiff was disabled on or before

1 his DLI; the ALJ will further evaluate Plaintiff's subjective complaints concerning the period on  
2 or before his DLI; the ALJ will obtain supplemental medical expert testimony; and the favorable  
3 finding of disability on and after May 27, 2005 will be affirmed.

4 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

5 DATED this 25th day of November, 2009.

6  
7  
8 

9 FRANKLIN D. BURGESS  
10 UNITED STATES DISTRICT JUDGE

11  
12 Recommended for Entry:

13 s/Karen L. Strombom  
14 UNITED STATES MAGISTRATE JUDGE

15 Presented By:

16 s/ DAPHNE BANAY  
17 Special Assistant United States Attorney  
18 Office of the General Counsel  
19 701 Fifth Avenue, Suite 2900 M/S 901  
20 Seattle, Washington 98104-7075  
Telephone: (206) 615-2113  
FAX: (206) 615-2531  
daphne.banay@ssa.gov